



## Symbols of State

[Source: TH](#)

### Why in News?

Tripura unveiled its first **official state emblem** after approval from the **Union Ministry of Home Affairs (MHA)**.

- The proposal for the **emblem of the Government of Tripura** has been approved under **Rule 4(2) of the State Emblem of India (Regulation of Use) Rules, 2007**.



### What are the Provisions Related to the State's Flag, Emblem and Song?

- **State Flag:** States in India can have a state flag, as long as it does not supersede or contradict the Indian national flag as per the **Emblems and Names (Prevention of Improper Use) Act, 1950**, **Flag Code of India, 2002** and the [Prevention of Insults to National Honour Act, 1971](#).
  - The [Supreme Court of India \(SC\)](#) in [S. R. Bommai v. Union of India Case 1994](#) ruled that states can have their own flags, as long as they do not dishonor the national flag.
    - SC further stated that the **Constitution of India does not prohibit states from having their own flags.**
    - It held that the **state flag should always be flown below the national flag**, cannot be flown alongside it, and **cannot be used for official or statutory purposes.**

- **State Emblem:** The **State Emblem of India** is regulated **under the State Emblem of India (Prohibition of Improper Use) Act, 2005.**
  - **States in India** can adopt their emblem but require **Union Home Ministry approval for state symbols.**
  - Authorized **uses of states' emblems include official seals,** stationery, vehicles, and key public buildings. Unauthorized use for personal, organizational, or commercial purposes is strictly prohibited.
- **State Song:** India **lacks uniform legislation on state songs,** which are typically **approved by state legislatures or executives.** These songs reflect the state's heritage and **are sung at official events,** ensuring **respect for national unity** and the national anthem.
  - **Example:** West Bengal announced ***Poila Baisakh*** (first day of the Bengali month of Baisakh) **as State Day** (or Bangla Divas), and ***Banglar Mati Banglar Jal,*** composed by **Rabindranath Tagore,** as the **State Song.**

**Note:** **Article 51A (Fundamental Duties)** of the Constitution **imposes a moral duty on citizens** to respect the **national and state symbols** as part of their fundamental duties.

- **Article 51 A (a):** To abide by the Constitution and **respect its ideals** and institutions, **the National Flag and the National Anthem.**

## What is the Emblems and Names (Prevention of Improper Use) Act, 1950?

- **About:**
  - The **Emblems and Names (Prevention of Improper Use) Act, 1950** prohibits the **unauthorized use of national emblems, names, and symbols** for commercial purposes by private entities without proper permission.
  - The Act also **extends to state symbols,** meaning that **state emblems and names are protected under this legislation** as well to ensure that state symbols are **not misused for commercial purposes** without proper authorization.
- **Prohibition of Improper Use :**
  - **Section 3** of the Act prohibits the use of names or emblems listed in the Schedule, or their imitations, for trade, business, profession, or as trademarks/patents, without prior approval from the Central Government or an authorized officer.

## Flag Code of India, 2002

- **About:**
  - The **Flag Code of India, 2002** outlines the **rules for the use, display, and hoisting of the Indian National Flag.**
  - It is governed by the **Prevention of Insults to National Honour Act, 1971.**
- **Key Provisions:**
  - **Materials and Construction:**
    - The National Flag can be made from **hand-spun, hand-woven, or machine-made** materials like cotton, polyester, wool, or silk, following the December 2021 amendment allowing **polyester and machine-made flags.**
  - **Hoisting and Display:**
    - **Individuals, organizations, or institutions** may hoist the flag on **any day with respect.** The amendment in July 2022 allows it to be **flown day and night** in the open or on private properties.
  - **Design and Dimensions:**
    - The flag must be **rectangular,** with a **length-to-width ratio of 3:2.**
  - **Restrictions:**
    - The flag cannot be flown from a single masthead along with other flags.
    - It cannot be flown on vehicles except for designated dignitaries like the **President, Vice-President, Prime Minister, Governors,** etc.
    - No other flag or bunting should be placed above or alongside the National Flag.

## UPSC Civil Services Examination, Previous Year Questions (PYQ)

**Q. With reference to Madanapalle of Andhra Pradesh, which one of the following statements is correct?**

- (a) Pingali Venkayya designed the tricolour Indian National Flag here.
- (b) Pattabhi Sitaramaiah led the Quit India Movement of Andhra region from here.
- (c) Rabindranath Tagore translated the National Anthem from Bengali to English here.
- (d) Madame Blavatsky and Colonel Olcott set up headquarters of Theosophical Society first here.

**Ans: (c)**

PDF Refernece URL: <https://www.drishtias.com/printpdf/symbols-of-state>

